IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 1304 of 1995

Between:

1.Smt.Agia Kaur W/o Mohan Singh Saloja, aged 60 years,

Road No. 12, Banjara Hills, Hyderabad.
2.Smt.Harminder Kaur W/o Mohan Singh Saloja, aged 50 years,

Road No. 12, Banjara Hills, Hyderabad.

..... PETITIONERS

AND

1.The Principal Secretary to Government, Municipal Administration & Urban Development Department, A.P Secretariat, Hyderabad.
2.The Commissioner, Municipal Corporation of Hyderabad,
Tank Bund, Hyderabad.
3.Charan Singh Saloja, S/O. Jagjit Singh Saloja, Proprietor of
M/S. Star Furniture, H.No.5-8-107/2 an d107/3, Nampally Station Road, Hyderabad and Residing at H.No.5-10-188/2, Hill fort Road Hyderabad.
4.Sri Basheer, S/O. Not known, aged about 40 years, Residing at
H.No.23-2-33,Moghalpura, Hyderabad.

(Case against R4 was dismissed for default as per Court Order, dt. 23/10/2000)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ particularly in the nature of the Writ of Prohibition Prohibiting the respondents 1 and 2 not to issue any trade license in the name of Respondent No. 4 or bring any change in the license issued in the name of Respondent No. 3 in respect of premises bearing M.C.No.5-8-107/2 and 5-8-107/3 situated at Nampally Station Road, Hyderabad by any means, whatsoever.

Counsel for the Petitioners: MR.MD. OSMAN SHAHEED

Counsel for the Respondents 1 & 2: MR.GANTA RAMA RAO (S.C)

Counsel for the Respondents 3 & 4: None appeared.

The Court made the following:

ORAL ORDER:

Heard both sides.

2. The petitioners seek a writ of Prohibition, prohibiting the respondents not to issue any trade licence in the name of the fourth respondent or bring any change in the licence issued in the name of the third respondent in respect of the premises bearing No.MC.5-8-107/3 & 107/3, situated at Nampally Station Road, Hyderabad, by any means whatsoever.

3. From the record, it is seen that the present writ petition had already been dismissed insofar as the fourth respondent is concerned. The other averments made by the petitioner against the third and fourth respondents and the relief sought against them are directly nothing to do with the first and second respondents. If, there is any dispute between the third and fourth respondents and the petitioners, the same can be ventilated by way of a representation before the concerned authorities or work out their remedies elsewhere in any manner as permissible under law.

4. For the foregoing reasons, I do not find any merits in the writ petition and the same is liable to be dismissed.

5. In the result, the writ petition is dismissed. However, there shall be no order as to costs.

29TH JULY 2004 D.S.R.VARMA, J

KRK

To:

1.The Principal Secretary to Government, Municipal Administration & Urban Development Department, A.P Secretariat, Hyderabad.

2.The Commissioner, Municipal Corporation of Hyderabad, Tank Bund, Hyderabad.

3.Charan Singh Saloja, S/O. Jagjit Singh Saloja, Proprietor of M/S. Star Furniture, H.No.5-8-107/2 an d107/3, Nampally Station Road, Hyderabad and Residing at H.No.5-10-188/2, Hill fort Road Hyderabad.

4.Sri Basheer, S/O. Not known, aged about 40 years, Residing at H.No.23-3-33,

Moghalpura, Hyderabad.

5.Two CD copies.

6.One spare.